



CRL OP(MD).No.12904 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12904 of 2025

Hussain,
S/o.Jaheer Hussain,

..Petitioner/ Accused
No.14

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Austinpatti Police Station,
Madurai City.
(Crime No.70 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.A.Saravanan
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.70 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

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The petitioner / Accused No.14, who was arrested and remanded to judicial custody on 29.03.2025 for the offences punishable under Sections 103 of BNS @ 103, 191(2), 191(3), 190, 127(2), 61(2) and 49 of BNS in Crime No.70 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that One Meenakshi, who is the wife of the deceased Glamour Kali, lodged a complaint before the respondent police stating that she is the second wife of the deceased and resides at MMC Colony, Avaniyapuram, Madurai. She has two daughters, namely Thuvaraka and Priya. The deceased had two wives; the first wife resides with her mother-in-law at Mela Anuppanadi, Madurai. The deceased, Glamour Kali, was involved in several criminal cases, including murder, and he was an associate of one V.K. Gurusamy. There was a long-standing enmity between the group of V.K. Gurusamy and that of Rajapandi, which had led to several retaliatory murders in that area. While so, on 22.03.2025 at about 06.00 p.m., the deceased visited the defacto complainant and left her residence at around 08.30 p.m. On the same day, at about 09.45 p.m., the defacto complainant received information that her husband had been murdered near the Muniswaran Temple. She immediately rushed to the spot and found that her husband had sustained severe injuries and died. Based on her complaint, the respondent police



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registered an FIR against unknown persons. During the course of investigation, the respondent police secured the accused, namely Bala @ Balakrishnan, on 28.03.2025. He gave a confession before the respondent police detailing the roles of other accused persons. Consequently, the sections of law were altered to Sections 103, 191(2), 191(3), 190, 127(2), 61(2), and 49 of the Bharatiya Nyaya Sanhita, 2023. Hence, the case.

3. The learned counsel for the petitioner would submit that there are totally sixteen accused, this petitioner was arrayed as Accused No.14. This petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. Based on the confession statement of other accused persons, this petitioner was arrayed as Accused No.14. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 29.03.2025, nearly 142 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that in this case, there are totally sixteen accused persons and this petitioner has been arrayed as A14. He would further submit that A9 to A14 and A16 conspired together and instigated the other accused. Pursuant to this, A1 to A4 brutally assaulted the deceased with lethal weapons, resulting his death. They also completely disfigured his face. This petitioner gave food and shelter to Accused Nos.2,9,10 and 12, except this there is no specific overtact against this petitioner. In this case, A5 enlarged on



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bail by this court in Crl.O.P.(MD).No.11639 of 2025 dated 30.07.2025. In this case, investigation has been completed, charge sheet has been filed in PRC.No.78 of 2025 on the file of Judicial Magistrate, Thirumangalam. The Accused No.13 was enlarged on bail by this Court in Crl.OP(MD).No.11638 of 2025 dated 17.07.2025. However, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, A13 enlarged on bail by this Court in Crl.OP (MD).No.11638 of 2025 dated 17.07.2025 and A5 enlarged on bail by this court in Crl.O.P.(MD).No.11639 of 2025 dated 30.07.2025, in this case, investigation was completed and charge sheet has also been filed and the same was taken on file in PRC.No.78 of 2025 on the file of learned Judicial Magistrate, Thirumangalam, there is no previous case against this petitioner, there is no specific overtact against this petitioner, the petitioner/ Accused No.14 is in judicial custody from 29.03.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate, Thirumangalam and on further conditions that :-



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[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] The petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate, Thirumangalam. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate, Thirumangalam;

[c] the petitioner shall stay at Salem and he shall appear and sign before the Inspector of Police, Shevapet Police Station daily twice at 10.00a.m.and 05.00p.m. except on hearing dates; until further orders, he shall also appear before the concerned Trial Court on hearing dates.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



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[g] If the accused thereafter absconds, a fresh FIR can be registered under

Section 269 BNS.

sd/-
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Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

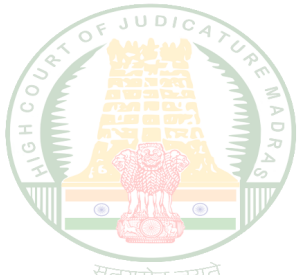
gvn
TO

- 1 The Judicial Magistrate, Thirumangalam.
 - 2 Do Through the Chief Judicial Magistrate, Madurai.
 - 3 The Superintendent, Central Prison, Madurai.
 - 4 The Inspector of Police, Austinpatti Police Station, Madurai City.
 - 5 The Inspector of Police, Shevapet Police Station, Salem.
 - 6 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.A.SARAVANAN, Advocate (SR-8889[I] dated 18/08/2025)

ORDER
IN

CRL OP(MD) No.12904 of 2025

Date :18/08/2025



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NBF/SAR- /19/08/2025/ 7P/8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023